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**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA  
SACRAMENTO DIVISION**

JONATHAN DUNN,	)	
	)	Case No. 2:22-cv-288-JAM-KJN
Plaintiff,	)	
	)	<b>DEFENDANTS' NOTICE OF</b>
v.	)	<b>RESCISSION OF THE COVID-19</b>
	)	<b>VACCINATION REQUIREMENT</b>
LLOYD AUSTIN, in his official capacity as	)	
Secretary of Defense, et al.	)	
	)	
Defendants.	)	
	)	
	)	

Defendants hereby notify the Court that on January 10, 2023, in accordance with the National Defense Authorization Act for Fiscal Year 2023, the Secretary of Defense rescinded the COVID-19 vaccination requirement for military service members. *See* Ex. A (“Rescission Memorandum”) (rescinding the August 24, 2021 and November 30, 2021 memoranda requiring COVID-19 vaccination). The Rescission Memorandum provides that “[n]o individuals currently

1 serving in the Armed Forces shall be separated solely on the basis of their refusal to receive the  
2 COVID-19 vaccination if they sought an accommodation on religious, administrative, or medical  
3 grounds.” *Id.* at 1. It further provides that the “Military Departments will update the records of  
4 such individuals to remove any adverse actions solely associated with denials of such requests.”  
5 *Id.*

6 Dated: January 11, 2023

Respectfully submitted,

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15 /s/ Stuart J. Robinson  
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**CERTIFICATE OF SERVICE**

I hereby certify that on the 11th day of January 2023, I electronically transmitted the foregoing notice to the Clerk of Court using the ECF System for filing.

/s/ Stuart J. Robinson

STUART J. ROBINSON